

**BEFORE THE  
STRUCTURAL PEST CONTROL BOARD  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

**LA EXTERMINATOR CORP.; KI BUM  
NAM; ZANE SZOB KIM  
211 East Pomona Blvd.  
Monterey Park, CA 91755  
Company Registration Certificate No. PR  
5773**

Respondents.

Case No. 2012-32

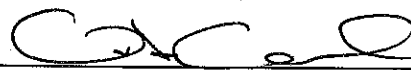
OAH No. 2013030696

**DECISION AND ORDER**

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Structural Pest Control Board, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on November 24, 2013.

It is so ORDERED October 25, 2013.

  
\_\_\_\_\_  
FOR THE STRUCTURAL PEST CONTROL  
BOARD  
DEPARTMENT OF CONSUMER AFFAIRS

1 KAMALA D. HARRIS  
Attorney General of California  
2 ARMANDO ZAMBRANO  
Supervising Deputy Attorney General  
3 LANGSTON M. EDWARDS  
Deputy Attorney General  
4 State Bar No. 237926  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 620-6343  
6 Facsimile: (213) 897-2804  
*Attorneys for Complainant*  
7

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**STRUCTURAL PEST CONTROL BOARD**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
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14 **Monterey Park, CA 91755**  
**Company Registration Certificate No. PR**  
**5773**

OAH No. 2013030696  
**STIPULATED SETTLEMENT AND**  
**DISCIPLINARY ORDER**

15 Respondent.  
16

17  
18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
19 entitled proceedings that the following matters are true:  
20

21 **PARTIES**

22 1. Susan Saylor (Complainant) is the Interim Registrar/Executive Officer of the  
23 Structural Pest Control Board. She brought this action solely in her official capacity and is  
24 represented in this matter by Kamala D. Harris, Attorney General of the State of California, by  
25 Langston M. Edwards, Deputy Attorney General.  
26

27 2. Respondent LA Exterminator Corp. (Respondent); Ki Bum Nam, President/Branch 2  
28 Qualifying Manager; Zane Szob Kim, Branch 3 Qualifying Manager is represented in this

1 proceeding by attorney James L Frederick, whose address is 504 West, Mission Avenue, Suite  
2 103, Escondido, California 92025.

3 3. On or about February 23, 2009, the Structural Pest Control Board issued Company  
4 Registration Certificate No. PR 5773, Branch 2, to LA Exterminator Corp., with Ki Bum Nam as  
5 Branch 2 Qualifying Manager; On or about October 27, 2009, Company Registration Certificate  
6 No. PR 5773 was upgraded to include Branches 2 and 3, and reflected Zane Szob Kim as Branch  
7 3 Qualifying Manager.

### 8 9 JURISDICTION

10 4. Accusation No. 2012-32 was filed before the Structural Pest Control Board (Board),  
11 Department of Consumer Affairs, and is currently pending against Respondent. The Accusation  
12 and all other statutorily required documents were properly served on Respondent on February 8,  
13 2012. Respondent timely filed its Notice of Defense contesting the Accusation.

14 5. A copy of Accusation No. 2012-32 is attached as **Exhibit A** and incorporated herein  
15 by reference.

### 16 17 ADVISEMENT AND WAIVERS

18 6. Respondent has carefully read, fully discussed with counsel, and understands the  
19 charges and allegations in Accusation No. 2012-32. Respondent has also carefully read, fully  
20 discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary  
21 Order.

22 7. Respondent is fully aware of its legal rights in this matter, including the right to a  
23 hearing on the charges and allegations in the Accusation; the right to be represented by counsel at  
24 its own expense; the right to confront and cross-examine the witnesses against them; the right to  
25 present evidence and to testify on its own behalf; the right to the issuance of subpoenas to compel  
26 the attendance of witnesses and the production of documents; the right to reconsideration and  
27 court review of an adverse decision; and all other rights accorded by the California  
28 Administrative Procedure Act and other applicable laws.

1        8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and  
2 every right set forth above.

3  
4                                    **CULPABILITY**

5        9. Respondent admits the truth of each and every relevant charge and allegation in  
6 Accusation No. 2012-32, except as to the Eighth Cause for Discipline (Aiding and Abetting an  
7 Unlicensed Company). As to the Eighth Cause for Discipline, Respondent understands that the  
8 charges and allegations set forth therein, if proven at a hearing, constitute cause for imposing  
9 discipline upon Respondent's Company Registration Certificate No. PR 5773.

10       10. Respondent agrees that its Company Registration Certificate is subject to discipline  
11 and they agree to be bound by the Board's probationary terms as set forth in the Disciplinary  
12 Order below.

13  
14                                    **CONTINGENCY**

15       11. This stipulation shall be subject to approval by the Structural Pest Control Board.  
16 Respondent understands and agrees that counsel for Complainant and the staff of the Structural  
17 Pest Control Board may communicate directly with the Board regarding this stipulation and  
18 settlement, without notice to or participation by Respondent or its counsel. By signing the  
19 stipulation, Respondent understands and agrees that they may not withdraw its agreement or seek  
20 to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails  
21 to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary  
22 Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal  
23 action between the parties, and the Board shall not be disqualified from further action by having  
24 considered this matter.

25       12. The parties understand and agree that facsimile copies of this Stipulated Settlement  
26 and Disciplinary Order, including facsimile signatures thereto, shall have the same force and  
27 effect as the originals.  
28

13. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

14. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

**DISCIPLINARY ORDER**

IT IS HEREBY ORDERED that Company Registration Certificate No. PR 5773 issued to LA Exterminator Corp. (Respondent); Ki Bum Nam, President/Branch 2 Qualifying Manager; Zane Szob Kim, Branch 3 Qualifying Manager is revoked. However, the revocation is stayed and Respondent is placed on probation for three (3) years on the following terms and conditions.

1. **Actual Suspension.** Company Registration Certificate No. PR 5773 issued to Respondent serves an actual suspension of 10 consecutive business days or pay a civil penalty of \$2000.00 to be paid upon the effective date of the Decision.

2. **Obey All Laws.** Respondent shall obey all federal, state and local laws and rules relating to the practice of structural pest control.

3. **Quarterly Reports.** Respondent shall file quarterly reports with the Board during the period of probation.

4. **Tolling of Probation.** Should Respondent leave California to reside outside this state, Respondent must notify the Board in writing of the dates of departure and return. Periods of residency or practice outside the state shall not apply to reduction of the probationary period.

5. **Notice to Employers.** Respondent shall notify all present and prospective employers of the decision in Case No. 2012-32 and the terms, conditions and restriction imposed on Respondent by said decision.

1        Within 30 days of the effective date of this decision, and within 15 days of Respondent  
2        undertaking new employment, Respondent shall cause his employer to report to the Board in  
3        writing acknowledging the employer has read the decision in Case No. 2012-32.

4        **6. Notice to Employees.** Respondent shall, upon or before the effective date of this  
5        decision, post or circulate a notice to all employees involved in structural pest control operations  
6        which accurately recite the terms and conditions of probation. Respondent shall be responsible  
7        for said notice being immediately available to said employees. "Employees" as used in this  
8        provision includes all full-time, part-time, temporary and relief employees and independent  
9        contractors employed or hired at any time during probation.

10       **7. Posted Notice of Suspension.** Respondent shall prominently post a suspension  
11       notice provided by the Board of the Board's order of suspension at its principal office and each of  
12       its branch offices in a place conspicuous and readable to the public. Said notice shall remain so  
13       posted during the entire period of actual suspension.

14       **8. Completion of Probation.** Upon successful completion of probation, Respondent's  
15       Company Registration Certificate No. PR 5773 will be fully restored.

16       **9. Violation of Probation.** Should Respondent violate probation in any respect, the  
17       Board, after giving Respondent notice and an opportunity to be heard, may revoke probation and  
18       carry out the disciplinary order which was stayed. If a petition to revoke probation is filed against  
19       Respondent during probation, the Board shall have continuing jurisdiction until the matter is final,  
20       and the period of probation shall be extended until the matter is final.

21       **10. Random Inspections.** Respondent shall reimburse the Board for one random  
22       inspection per quarter by Board specialists during the period of probation not to exceed \$125 per  
23       inspection.

24       **11. Cost Recovery.** Pursuant to Section 125.3 of the California Business and Professions  
25       Code, Respondent shall pay to the Board investigation and enforcement costs in the amount of  
26       \$2734.00, according to a payment schedule that has been approved by the Board. Investigation  
27       and enforcement costs must be paid in full 6 months prior to the end of probation. Probation shall  
28       not be terminated until all costs are paid in full.

1 **ACCEPTANCE**

2 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully  
3 discussed it with my attorney, James L. Frederick. I understand the stipulation and the effect it  
4 will have on my Company Registration Certificate. I enter into this Stipulated Settlement and  
5 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the  
6 Decision and Order of the Structural Pest Control Board.

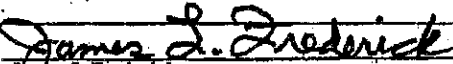
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8 DATED: 7-9-13

  
9 LA EXTERMINATOR CORP.; Ki Bum Nam,  
10 President/Branch 2 Qualifying Manager; Zane Szob  
11 Kim, Branch 3 Qualifying Manager

12 Respondent

13 I have read and fully discussed with Respondent LA Exterminator Corp.; Ki Bum Nam,  
14 President/Branch 2 Qualifying Manager; Zane Szob Kim, Branch 3 Qualifying Manager the terms  
15 and conditions and other matters contained in the above Stipulated Settlement and Disciplinary  
16 Order. I approve its form and content.

17 DATED: 7-9-13

  
18 James L. Frederick  
19 Attorney for Respondent  
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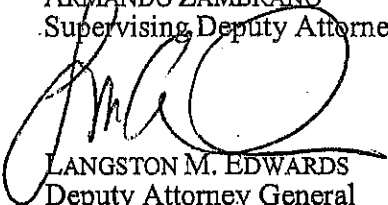
**ENDORSEMENT**

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Structural Pest Control Board of the Department of Consumer Affairs.

Dated: 7/9/13

Respectfully submitted,

KAMALA D. HARRIS  
Attorney General of California  
ARMANDO ZAMBRANO  
Supervising Deputy Attorney General

  
LANGSTON M. EDWARDS  
Deputy Attorney General  
*Attorneys for Complainant*

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